

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>In re:</b>	§	<b>Case No. 23-51742-cag</b>
<b>CINCH WIRELINE SERVICES, LLC</b>	§	
<b>Debtor</b>	§	<b>Chapter 7</b>
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<b>JOHN PATRICK LOWE, CHAPTER 7</b>	§	
<b>TRUSTEE FOR CINCH WIRELINE</b>	§	
<b>SERVICES, LLC</b>	§	
<b>Plaintiff</b>	§	
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<b>v.</b>	§	<b>Adversary 24-05011-cag</b>
<b>CINCH ENERGY SERVICES, LLC;</b>	§	
<b>CINCH INVESTMENT HOLDINGS, LLC;</b>	§	
<b>CES GROUP HOLDINGS, LLC; HOOK N</b>	§	
<b>BULL PROPERTIES, LLC; LOS CABOS</b>	§	
<b>RANCH, LLC; FTS RANCH, LLC; FTSJR</b>	§	
<b>HOLDINGS, LLC; WFO HOMES, LLC;</b>	§	
<b>TEXAS COAST BUILDERS, LLC; 17</b>	§	
<b>MAIN, LLC; GRANDER HOLDINGS,</b>	§	
<b>LLC; WFO, LLC; PONDER RANCH,</b>	§	
<b>LLC; BL EQUITY HOLDINGS,</b>	§	
<b>LLC; OCEAN FLOOR HOLDINGS, LLC;</b>	§	
<b>FRANK THOMAS SHUMATE; MARK</b>	§	
<b>LOPEZ; LORETTA L. HIGGINS;</b>	§	
<b>TIMOTHY GAINES POLLARD; JERRY</b>	§	
<b>MILLER and such other yet unknown</b>	§	
<b>Defendants ("JOHN DOE DEFENDANTS")</b>	§	
<b>Defendants</b>	§	
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**FOURTH AMENDED  
WITNESS AND EXHIBIT LIST OF  
JOHN PATRICK LOWE, CHAPTER 7 TRUSTEE**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NOW COMES John Patrick Lowe, Trustee ("Trustee"), the duly appointed and acting Chapter 7 Trustee in the above-captioned bankruptcy case, and hereby files its Third Amended Witness and Exhibit List to be used in connection with the Wednesday, August 14, 2024 hearing. Trustee may call the following witnesses and offer the following exhibits:

## LIST OF WITNESSES

1. Frank Thomas Shumate
2. Loretta Higgins
3. Timothy Gaines Pollard
4. Israel Rodriguez
5. Any witness called by any other creditor, any other party in interest that may appear and seek to be heard at the hearing, and any rebuttal witness as may be required.
6. Any rebuttal witnesses necessary.

## LIST OF EXHIBITS

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
1.	Declaration and Proffer of Direct Testimony of Shelby A. Jordan [Judicial Notice #90-1]				
2.	Declaration and Proffer of Direct Testimony of Ernest “Butch” Boyd [Judicial Notice #90-2]				
3.	Photos of 30 boxes from first visit to Cinch offices on 4/26/24				
4.	Photos of 80 boxes from second visit to Cinch offices on 5/7/24				
5.	Photos of sever from second visit to Cinch offices on 5/7/24				
6.	Photos of boxes of laptops and a sever from second visit to Cinch offices on 5/7/24				
7.	Commercial Contract for 5821 Agnes Street with PMI LLC with a closing date of 6/10/24 signed by Pollard				
8.	Photo of O’Finan on phone with Shumate on first visit to Cinch offices on 4/26/24				
9.	Burn Pit (Admitted as Exhibit 1 on 4/19/24 during Preliminary Injunction Hearing)				
10.	Verification signed by Shumate and notarized by Mathis from case no. 5:24-cv-00319-OLG; Docket #10				
11.	Screenshot of Cinch Server Screen				
12.	Screenshot of Cinch Server Screen				
13.	7/24/24 Letter to Dick Fuqua				

<b>Ex. #</b>	<b>Description</b>	<b>Offered</b>	<b>Objection</b>	<b>Admitted/ Not Admitted</b>	<b>Disposition</b>
14.	First Amended Complaint [Judicial Notice Docket #187-1-187-41]				
15.	Motion to Enforce Stay Against Simmons Bank [Adversary #111]				
16.	CES Group Holdings LLC Operating Account June 2024 Charter Bank Statement				
17.	Live Access to Cinch OneDrive				
18.	5/2/24 Email from L. Higgins to R. Lee Murphy				
19.	Hook N Bull LOC Statements – 9.28.18 – 8.2.24				
20.	Hook N Bull 2 <sup>nd</sup> LOC Statements – 2.6.23 – 8.1.24				
21.	Transfers from Lone Star Cement				
22.	Photo of CWS Truck - 1				
23.	Photo of CWS Truck - 2				
24.	Photo of CWS Truck - 3				
25.	US DOT Information				
26.	6.5.24 Email from L. Higgins to Timothy Pollard				
27.	Photo of CWS Truck - 4				
28.	Banking Transfers Post Petition Summary Chart				
29.	Photo of CWS Truck - 5				
30.	Texas Department of Motor Vehicles Required Documents - CWS				
31.	3.14.24 Email from L. Higgins to David Arnold				
32.	7.29.24 Memorandum of Second Modification Agreement				
33.	May 6, 2024 Letter to Point Energy Partners				
34.	BCBS Application				
35.	Second Lien Deed of Trust				
36.	Application for Explosive License or Permit				
	Any exhibit identified, introduced, designated or relied upon by any other party.				
	Any exhibits necessary for rebuttal or impeachment purposes.				

The Trustee reserves the right to amend this Exhibit List and to introduce other exhibits as may

be necessary for impeachment purposes. The Trustee also reserves the right to introduce exhibits designated by opposing counsel.

Dated: August 13, 2024

Respectfully submitted,

/s/ Butch Boyd

Butch Boyd

State Bar No. 00783694

Butch Boyd Law Firm, P.C.

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/s/ Shelby A. Jordan

Shelby A. Jordan

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Antonio Ortiz

St. Bar No. 24074839; SD. No. 1127322

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**SPECIAL COUNSEL FOR JOHN PATRICK  
LOWE, CHAPTER 7 TRUSTEE**

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Witness and Exhibit List was served to the below, by the CM/ECF system or by electronic mail on August 13, 2024:

**Gabi S Canales**

Canales Law Office  
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gabilaw14@gmail.com  
*Assigned: 05/14/2024*

representing **Michael Mendieta**  
*(Interested Party)*

**Mitchell Clark**

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*Assigned: 07/22/2024*

representing **Justin Sprencel**  
*(Interested Party)*

**Jason Alexander Enright**

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*Assigned: 07/25/2024*

representing **Simmons Bank**  
*(Interested Party)*

**Richard L. Fuqua**

Fuqua & Associates, PC  
8558 Katy Freeway  
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*Assigned: 05/28/2024*

representing **Loretta L. Higgins**  
24030 Tirso River Court  
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*(Defendant)*

**R. Javier Guerra**

Ray Pena McChristian, PC

representing **Jerry Miller**  
137 W. Chandler Road

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*Assigned: 05/20/2024*

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*Assigned: 04/26/2024*

**Charles A. Newton**  
Newtons Law  
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*Assigned: 05/02/2024*

*Assigned: 05/13/2024*

**Paul W. O'Finan**  
S M Chaudhry, Esq., Attorney at Law  
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*Assigned: 04/24/2024*  
*TERMINATED: 06/27/2024*

*Assigned: 05/08/2024*

Sarita, TX 78385  
*(Defendant)*

**17 Main, LLC**  
c/o Daniel Namvar, Registered  
Agent  
representing 9135 Hillsboro Dr  
Los Angeles, CA 90034  
*(Defendant)*

**Mark Lopez**  
52 County Road 2011  
Edna, TX 77957  
representing *(Defendant)*

**Los Cabos Ranch, LLC**  
c/o Paul S Kirklin, Registered  
Agent  
representing 12600 N. Featherwood Drive,  
Suite 225,  
Houston, TX 77034  
*(Defendant)*

**Frank Thomas Shumate**  
6118 King Trail  
Corpus Christi, TX 78414  
representing *(Defendant)*

representing **Timothy Gaines Pollard**

2200 County Road 413  
McCoy, TX 78113  
(Defendant)

**WFO Homes, LLC**  
c/o Tim Pollard, Registered  
Agent  
146 Motts Parkway  
Marion, TX 78124  
(Defendant)

**WFO, LLC**  
c/o Tim Pollard, Registered  
Agent  
146 Motts Parkway  
Marion, TX 78124  
(Defendant)

*Assigned: 05/08/2024*

representing **BL Equity Holdings, LLC**  
c/o A Registered Agent, Inc  
8 The Green, Suite A  
Dover, DE 19901  
(Defendant)

*Assigned: 05/08/2024*  
*TERMINATED: 06/27/2024*

representing **CES Group Holdings, LLC**  
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Agent  
2200 County Road 413  
McCoy, TX 78113  
(Defendant)

**Cinch Energy Services, LLC**  
Mark Lopez, Registered Agent  
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Ganado, TX 77962  
(Defendant)

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(Defendant)

**FTS Ranch, LLC**  
c/o Frank T Shumate Jr.,  
Registered Agent  
2200 County Road 413

McCoy, TX 78113  
(Defendant)

**FTSJ Holdings, LLC**  
c/o Frank T Shumate, Jr.,  
Registered Agent  
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**Grander Holdings, LLC**  
c/o Frank T Shumate Jr.,  
Registered Agent  
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McCoy, TX 78113  
(Defendant)

**Hook N Bull Properties, LLC**  
c/o Frank T. Shumate, Jr.  
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(Defendant)

**Ocean Floor Holdings, LLC**  
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(Defendant)

**Ponder Ranch, LLC**  
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(Defendant)

**Texas Coast Builders, LLC**  
c/o Frank T Shumate Jr.,  
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(Defendant)

**Jameson Joseph Watts**  
Husch Blackwell LLP  
111 Congress

representing **CES Group Holdings, LLC**  
c/o Frank T. Shumate, Registered  
Agent



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*Assigned: 06/03/2024*

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*(Defendant)*

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*(Defendant)*

**FTSJR Holdings, LLC**  
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*(Defendant)*

**Frank Thomas Shumate**  
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*(Defendant)*

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*(Defendant)*

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Registered Agent  
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*(Defendant)*

/s/ Butch Boyd  
Butch Boyd